

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Rosemary Heredia, Assistant Deputy Clerk.

F044630 Carr Business Enterprises, Inc. v. City of Chowchilla et al.

Cause called and argued by Charles L. Doerksen, Esq., counsel for appellant Carr Business Enterprises, Inc. and by Neal Costanzo, Esq., counsel for appellant City of Chowchilla and by Jason Z. Jungreis, Esq., counsel for appellant Insurance Company of the West.

Cause ordered submitted.

Court recessed until Thursday, December 15, 2005 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Rosemary Heredia, Assistant Deputy Clerk.

F047203 Cooper et al. v. County of Mariposa et al.

Cause called and argued by Jeffery David Dintzer, Esq., counsel for appellants and by William W. Abbott, Esq., counsel for respondents County of Mariposa et al. and by Stephen E. Carroll, Esq., counsel for real party Pacificus Real Estate Group.

Cause ordered submitted.

Court recessed until Thursday, December 22, 2005 at 11:00 A.M.

F047268 People v. Guerrero

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F047268 **People v. Guerrero**
 The judgment is affirmed.
 By the Court.
 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F048309 **People v. Foster**
 The above-entitled case is submitted for decision.

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- F048309 People v. Foster**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046170 Gross v. City of Bakersfield et al.**
The judgment is affirmed. Costs on appeal are awarded to respondents. Dawson, J.
We concur: Ardaiz, P.J.; Vartabedian, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046934 People v. Shine**
The judgment is affirmed. Dawson, J.
We concur: Levy, Acting P.J.; Cornell, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046000 People v. Vaughn**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F048900 Nita S. v. The Superior Court of Kern County; Kern County Department of Human Services**
The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F047247 Doctors Medical Center of Modesto v. WCAB & Jessica Bonar**
The petition for writ of review is denied.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046988 In re D.B., a Minor**
The judgment (order) appealed from is affirmed. Dibiaso, J.

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We concur: Ardaiz, P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047968 People v. Morris

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F047968 People v. Morris

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047424 People v. Gomez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F047424 People v. Gomez

The judgment is reversed and the matter remanded to the trial court. The court is directed to vacate the guilty plea if appellant moves to withdraw the plea within 30 days of the finality of this opinion. In that event, on motion of the People the original charges shall be reinstated and the court shall conduct further proceedings as appropriate. If appellant does not elect to withdraw his plea of guilty, the trial court shall reinstate the judgment.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]